WPMB No. 733/2002

Hon. P.C. Verma, J.
Hon. Irshad Hussain, J.

Heard Sri V.K.Kohli, learned counsel for the petitioners and learned learned Standing Counsel.

The grievance of the petitioners is that the respondents are violating Article 14 of the Constitution by permitting the respondent no.3 to enjoy the privileges against the Uttaranchal Excise(Settlement of Licenses for Retail Sale of Foreign Liquor and Beer) Rules,2001 and the petitioners are not being permitted to enjoy those facilities which are being enjoyed by the respondent no.3.

The grievance of the petitioners is misconceived. If the respondent no.3 is enjoying the some privileges on account of some mistake or by avoiding of Excise Rules governing the same, equality can not be claimed on the said basis. Therefore, the petition is dismissed. No order as to costs.

However, if any illegality is committed by respondent no.3, the State Government is directed to check and enforce the same in accordance with the Excise Rules governing the same.

(Irshad Hussain,J) (P.C. Verma, J.)

Dt. 31.10.2002
A